

VZCZCXYZ0001
PP RUEHWEB

DE RUEHPE #1155 0822241
ZNR UUUUU ZZH
P 232241Z MAR 06
FM AMEMBASSY LIMA
TO RUEHC/SECSTATE WASHDC PRIORITY 9379
INFO RUEHBO/AMEMBASSY BOGOTA PRIORITY 3151
RUEHCV/AMEMBASSY CARACAS PRIORITY 9208
RUEHLP/AMEMBASSY LA PAZ MAR 3142
RUEHQT/AMEMBASSY QUITO PRIORITY 0153
RUEHSG/AMEMBASSY SANTIAGO PRIORITY 0326
RUEHGL/AMCONSUL GUAYAQUIL PRIORITY 4158

UNCLAS LIMA 001155

SIPDIS

SENSITIVE
SIPDIS

E.O. 12958: N/A

TAGS: [PTER](#) [KJUS](#) [ASEC](#) [PE](#)

SUBJECT: MRTA LEADER VICTOR POLAY SENTENCED TO 32 YEARS IN PRISON

REF: A. 05 LIMA 373

[1](#)B. 04 LIMA 5721

Sensitive But Unclassified, Please Handle Accordingly

[1](#)1. (U) On 3/21, Peru's National Anti-Terrorism Court imposed a 32-year prison sentence on Victor Polay Campos, the founder and principal commander of the Tupac Amaru Revolutionary Movement (MRTA) terrorist group. Polay was found guilty of multiple counts of murder, bombing, kidnapping and extortion, including terrorist attacks against U.S. interests (Ref B).

[1](#)2. (U) This was the second trial for Polay and his co-defendants on these charges -- their retrial was ordered by the Constitutional Tribunal in 2003 when it invalidated sentences imposed during the Fujimori regime. Since Polay has already been incarcerated since 1992, the new sentence means that he will be eligible for release in 2023.

[1](#)3. (U) The MRTA's second in command, Miguel Rincon Rincon, received a 32-year sentence, and ten other members of the group's top echelon were given prison terms ranging from 15 to 28 years. The Court also ordered the MRTA leaders to pay civil reparations of 50 million soles (approximately \$15 million). Defense attorneys immediately filed for an annulment of the sentences, and requested that an appeal be heard by the Supreme Court.

[1](#)4. (SBU) State Prosecutor for Terrorism Cases Guillermo Cabala criticized the Court's decision on 3/22, claiming that the sentences given the MRTA leaders were far too lenient. Cabala said that life sentences would have been appropriate for at least some of the MRTA figures, and that the Court erred in considering these terrorists as common criminals, instead of members of organized crime. (NOTE: From the beginning of this trial, Cabala has carried on an intermittent campaign in the press questioning the abilities of Anti-Terrorism Court Chief Justice Pablo Talavera. In private meetings with Emboffs, Cabala has complained that his office is cramped, ill-equipped and understaffed, while the Anti-Terrorism Court functions in a modern facility and with ample resources. END NOTE.)

[1](#)5. (SBU) COMMENT. Even though the Peruvian Police are still seeking a number of MRTA fugitives who have yet to answer for past crimes, there is little evidence that the MRTA is currently active as a terrorist organization. Most recent reports that make reference to the group have to do with distribution of pro-MRTA propaganda, or with former members organizing themselves in criminal conspiracies for their own

(and not the MRTA's) benefit (Ref A). END COMMENT.
STRUBLE